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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re patent application of: )  
Michael C. Sherman et al. ) Before the Examiner  
Serial No. 10/690,451 ) Swiger III, James L.  
Filed October 21, 2003 ) Art Unit  
DYNAMIZABLE ORTHOPEDIC ) 3733  
IMPLANTS AND THEIR USE IN ) Confirmation No.  
TREATING BONE DEFECTS ) 3728

**RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Introductory Comments**

In response to the Office Action dated April 17, 2006, please enter the following amendments and remarks in the above-mentioned patent application. No fees or extensions are believed to be due for consideration of this paper, but if any fees are deemed due, or if any extensions of time are deemed to be necessary, please provide such extensions and charge any such fees to Deposit Account No. 23-3030, but not to include issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on:

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